

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Jürgen Dorn et al.
SERIAL NO.: 10/541,875
FILED: July 8, 2005
INT'L. APPLN. NO.: PCT/EP04/00248
INT'L. APPLN. DATE: January 15, 2004
PRIORITY DATE: January 15, 2003
FOR: TRANS-LUMINAL SURGICAL DEVICE

Express Mail mailing label number EV832482442US Date of Deposit April 6, 2006

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to: MAIL STOP PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Debra M. Doherty
(Typed or printed name of person mailing paper or fee)

[Signature]
(Signature of person mailing paper or fee)

MAIL STOP PCT
COMMISSIONER FOR PATENTS
P. O. BOX 1450
ALEXANDRIA, VA 22313-1450

Sir:

Transmitted herewith for filing is/are the following document(s):

- ☒ [XX] Response
- ☒ [XX] Executed Declaration
- ☒ [XX] Copy of Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US)
- ☒ [XX] Information Disclosure Statement, PTO Form 1449, and cited reference

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned collect at (617) 261-3100, Boston, Massachusetts.

A check in the amount of \$130.00 is enclosed to cover the filing fee. If the fee is insufficient, the balance may be charged to the account of the undersigned, Deposit Account No. 50-1721. A duplicate of this sheet is enclosed.

Respectfully submitted,

[Signature]

Arthur Z. Bookstein
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State Street Financial Center
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Tel.: (617) 261-3100

DATE: April 6, 2006

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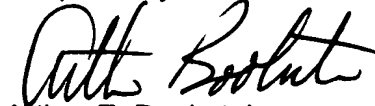
RESPONSE

Sir:

In response to the Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) dated March 3, 2006, enclosed is the executed declaration of the inventors.

The requisite fee of \$130.00 is also enclosed as well as a copy of the notice.

Respectfully submitted,



Arthur Z. Bookstein
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KIRKPATRICK & LOCKHART
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State Street Financial Center
One Lincoln Street
Boston, Massachusetts 02111-2950
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Customer No.: 022832
Attorneys for Applicants

Date: April 6, 2006



UNITED STATES PATENT AND TRADEMARK OFFICE

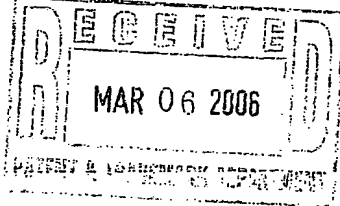
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U.S. APPLICATION NUMBER NO. 10/541,875	FIRST NAMED APPLICANT Jurgen Dorn	ATTY. DOCKET NO. A0008/7016
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INTERNATIONAL APPLICATION NO. PCT/EP04/00248

LA. FILING DATE 01/15/2004	PRIORITY DATE 01/15/2003
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CONFIRMATION NO. 7921

371 FORMALITIES LETTER



OC000000018079077

Date Mailed: 03/03/2006

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 07/08/2005
- Copy of the International Search Report filed on 07/08/2005
- Preliminary Amendments filed on 07/08/2005
- U.S. Basic National Fees filed on 07/08/2005
- Priority Documents filed on 07/08/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION,

WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

FREDERICK SMITH

Telephone: (703) 308-9140 EXT 210

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/541,875	PCT/EP04/00248	A0008/7016

FORM PCT/DO/EO/905 (371 Formalities Notice)